

REMARKS

Claims 1-38 are pending in the application.

Claims 1-38 have been rejected.

Claims 1, 12, 16, 18, 28, and 32-38 have been amended. Support for the amendment to claim 16 can be found, at least, on page 7, line 31 of the specification. No new matter has been added.

Rejection Under 35 U.S.C. §101

Claims 16-38 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter.

Claim 16 stands rejected as being directed to non-statutory subject matter. Without agreeing with this rejection, in order to expedite prosecution, Applicants have amended independent claim 16 to address the Examiner's concerns. Accordingly, Applicants respectfully submit that this objection to independent claim 16, in addition to dependent claims 17-31, has been overcome.

Claims 32-38 stand rejected because the claims are purportedly directed to directed to non-statutory subject matter. Without agreeing with these rejections, in order to expedite prosecution, Applicants have amended claims 32-38 to address the Examiner's concerns. Accordingly, Applicants respectfully submit that these objections to claims 32-38 have been overcome.

Rejection of Claims under 35 U.S.C. §102

Claims 1-38 stand rejected under 35 U.S.C. §102(e) as purportedly being anticipated by U.S. Patent No. 2007/0208608 naming Amerasinghe et al. as inventors ("Amerasinghe"). Applicants respectfully traverse this rejection on the grounds that the cited art does not teach or suggest all limitations in the claimed invention.

Claim 1

Claim Terms Must Be Addressed as Recited

Applicants note that the argument in the Office Action for the rejection of claim 1 fails to give any weight to a term as defined within the actual claim limitations. To wit, “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 165 USPQ 494, 496 (C.C.P.A. 1970). Claim 1, in the first clause, defines what is meant to be understood by a “forecast snapshot,” and this term necessarily has a different meaning than the term “forecast” as defined in the cited reference. This difference is clearly apparent from the manner in which the term “forecast” is recited within the definition of a “forecast snapshot” as a distinct concept. Specifically, claim 1 recites a “forecast snapshot” as comprising a “forecast date, a forecast period, forecast interval and summary forecasts” (Emphasis supplied). This is to say that, as used in claim 1, a summary of a “forecast” is a component of a “forecast snapshot.”

This distinction can also be seen when considering the fact that one of the components of the claimed “forecast snapshot” is a “forecast interval”. A “forecast interval” is the frequency at which information from a “forecast” is to be generated and saved as part of a “forecast snapshot.” In the cited portions of Amerasinghe, “forecast” information is not saved for future retrieval and so the concept of a “forecast interval”, which defines the frequency of saving forecast information, is simply not applicable. The concept of a collection of “forecast snapshots” that are saved for subsequent retrieval, and the presentation of historical forecasting information, is a usage of forecasting information that is not considered in the cited portions of the reference. Thus, the Office Action argument for rejecting claim 1 can not use as grounds for rejection an analogy between the claimed “forecast snapshot” and the term “forecast” as used in the cited reference.

Amerasinghe Fails to Teach Forecast Snapshots

Claim 1, clause 1, reads as follows:

“providing forecast snapshots, each forecast snapshot comprising a forecast date, a forecast period, forecast interval and summary forecasts, wherein the forecast interval indicates a frequency at which forecasts are to be generated and saved as forecast snapshots.”

Regarding claim 1, the Office Action argues that Amerasinghe discloses a method for presenting forecast information. Office Action, p. 4. For the purposes of the following analysis only, Applicants will accept this characterization of Amerasinghe. However, claim 1 goes well beyond the reference’s simple presentation of forecast information (Applicants do not concede this interpretation, generally). The invention claimed in claim 1 contains elements not taught within the cited portions of Amerasinghe. In this vein, Applicants also respectfully submit that Amerasinghe’s “forecast series” bears no relation to the claimed “forecast snapshots” or their periodic storage – the term “forecast series” is used in Amerasinghe merely to describe what the forecasting information will be about.

Claim 1 recites the manner in which each of the generated forecast snapshots are saved at defined forecast intervals. This collection of saved forecast snapshots can later be used to analyze the accuracy of forecast predictions, in light of actual revenue figures. This analysis of actual-to-forecasted business statistics is accomplished through access to the historical details contained within the saved collection of forecast snapshots. Amerasinghe completely fails to provide for such access to historical details, either through the storage of anything even comparable to forecast snapshots, or through the ability to summarize and present such saved forecast snapshots. Thus, Amerasinghe does not teach providing forecast snapshots which are generated and saved at defined forecast intervals, as in the claimed invention.

Amerasinghe Fails to Teach Utilizing Forecast Snapshot Information

Claim 1, clause 2 as amended, reads as follows:

“receiving from a user a request to display forecast snapshot information for a forecast period;”

The Office Action cites the following from Amerasinghe, “Once the user picks a series name, the date will be automatically filled in for them in a picklist 216 – it will be the next forecast date for the series.” Amerasinghe, ¶ [0120]. Unfortunately, Amerasinghe fails to teach the ability to “display forecast snapshot information for a forecast period.” Without Amerasinghe having any analogy to a forecast snapshot, Amerasinghe can not be said to teach displaying forecast snapshot information, or displaying forecast snapshot information for a forecast period.

With respect to claim 1, clause 3, because the cited portions of Amerasinghe do not disclose anything like the claimed forecast snapshots, Amerasinghe can not be said to teach, “for each forecast snapshot for the requested forecast period, retrieving forecasts for participants of the forecast.”

Also, with respect to claim 1, clause 5, which, as amended, reads as follows:

“generating a display description with a summary area that comprises summary information of the retrieved forecast snapshots for participants of the forecast, a participants area that comprises information of the retrieved forecast snapshots of each participant, and a user area that comprises information of the retrieved current opportunities of the user.”

Because the cited portions of Amerasinghe do not disclose anything like the claimed forecast snapshots, Amerasinghe can not be said to teach the limitations of claim 1, clause 5.

The cited portions of Amerasinghe only provide for immediate forecasting information; there is no consideration or provision for saving forecast information or for deriving forecast information from and about a historical set of saved forecasting information. That is, there is no consideration of anything like the claimed forecast snapshots. By contrast, the claimed invention utilizes raw forecast information as a component to a saved forecast snapshot and then works from this saved forecast snapshot to generate and present another level of information – “summary information of the retrieved forecast snapshots.” Given this distinction, Amerasinghe

can not be said to teach, or even suggest a method for saving forecast snapshots or for presenting information derived from the saved forecast snapshots.

For at least the foregoing reasons, Applicants submit that independent claim 1 is not anticipated or suggested. Independent claims 16, 32, and 38 are patentable for similar reasons, as well as dependent claims 2-15, 17-27, and 33-37. Claims 1-38 are therefore believed to now be in condition for allowance.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. G. Campbell, III', with a stylized flourish at the end.

Samuel G. Campbell, III
Attorney for Applicants
Reg. No. 42,381
Telephone: (512) 439-5084
Facsimile: (512) 439-5099